

**MINUTES OF THE  
CITY OF HOLLADAY  
CITY COUNCIL MEETING**

**Thursday, September 8, 2022  
6:00 p.m.  
City Council Chambers  
4580 South 2300 East  
Holladay, Utah**

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***ATTENDANCE:***

Mayor Rob Dahle  
Dan Gibbons  
Drew Quinn  
Matt Durham- *via Zoom*  
Ty Brewer  
Paul Fotheringham - *excused*

**City Staff:**  
Gina Chamness, City Manager  
Stephanie Carlson, City Recorder  
Holly Smith, Assistant City Manager  
Jonathan Teerlink, Community Dev. Director  
Todd Godfrey, City Attorney

**I. *Welcome*** – Mayor Dahle.

Mayor Rob Dahle called the meeting to order at approximately 6:00 p.m.

**II. *Pledge of Allegiance.***

Mayor Dahle led the Pledge of Allegiance.

**III. *Public Comments.***

There were no public comments.

**IV. *Public Hearing on Proposed Rezone of Property Located at 4141 South Highland Drive from Residential Multi-Family (“RM”) to Professional Office (“PO”) Zone.***

Community Development Director, Jonathan Teerlink stated that the request was to amend the zoning map for an existing office building developed on 1.9 acres of land. The property is currently zoned Residential Multi-Family (“RM”) with a request to rezone to Professional Office (“PO”). The property owner wanted to accommodate new tenants in the existing office building and market the existing space to businesses that are better suited to the PO Zone.

Council Member Brewer disclosed that he was involved in the sale of the property in April 2022. He had not participated in any discussions related to zoning with the buyer. As a result, he felt it would be best to recuse himself from the rezone discussion and vote as a precaution.

*Tucker Nipko, applicant - 1086 West 3050 North in Pleasant View.* He explained that there were a few reasons for the proposed zone change. Mr. Nipko stated that he works with professional office clients. As a result, the PO Zone would be a good fit for the building. It was currently 35% to 40% occupied with the rest of the building remaining vacant. With the proposed upgrade and remodel to be done in addition to the rezone, the building will become more inviting for tenants. It would also open up the allowed uses within the building.

Mayor Dahle opened the public hearing at 6:11 pm. There were no public comments. The public hearing was closed.

**V. *Public Hearing on Proposed Rezone of Property Located at 1660 East Murray Holladay Road from Residential Multi-Family (“RM”) to Professional Office (“PO”) Zone.***

Mr. Teerlink stated that the item was heard on August 16, 2022, by the Planning Commission. The Commission forwarded a recommendation of approval on the rezone. There is an existing office building on the property that dates back to the mid-1980s. To maintain a sustainable office use for the space, an application for a rezone was pursued.

Mayor Dahle opened the public hearing at 6:14 pm. There were no public comments. The public hearing was closed.

**VI. *Public Hearing on Proposed Text Amendment to the General Plan – Moderate-income Housing. (Review Proposed Amendments to Chapter 5 – Moderate-income Housing in the 2016 City of Holladay General Plan. Amendments Complete Statutory Obligation to Requirements Recently Passed by the Utah State Legislature).***

Mr. Teerlink explained that during the last Legislative Session, the State of Utah passed HB-462, which took additional steps to ensure that local planning efforts were focused on removing barriers preventing the construction or preservation of needed housing at moderate-income levels throughout the State. Since 1996, every municipality has been required to provide a housing component in their General Plans. Recently, that effort had been narrowed down in an effort to encourage municipalities to look at long-range efforts that would provide moderate-income housing for residents.

Mr. Teerlink noted that HB-34 was passed a few years earlier and required municipalities to provide various components within the General Plan. There were specific strategies on a menu that municipalities could choose from. During the last Legislative Session, that menu was expanded to include additional strategies. There was now a requirement for municipalities to establish actionable measures to achieve those goals. For a city the size of Holladay, there was a requirement to choose three strategies with actionable measures. Cities that chose five strategies and actionable measures would be eligible for preferential treatment for either the Transportation Investment Fund (“TIF”) or the Transit Transportation Investment Fund (“TTIF”).

Staff identified six items from the required list that were supported by current and past goals of the City and that could reasonably be studied or implemented. The six items could be considered by the City Council that the Planning Commission reviewed. There were discussions on those as well as the other possible menu items. In addition, there was a possible seventh option that was identified for potential consideration.

Mr. Teerlink informed the Council that the Moderate-Income Housing Element Amendment needs to be prepared, passed, and submitted to the State by October 1, 2022. Only three strategies need to be identified. There are three existing strategies in the General Plan and it would be possible for the Council to continue with those strategies. However, it was also possible to add to that as well. He reported that Staff clarified Chapter 5 – Moderate-Income Housing. The chapter had been amended at least four times since 2012. Some of the language was redundant and some of the terminology had changed. The intention was to match the language in the chapter with the State requirements. Mr. Teerlink overviewed some of the redline changes with the Council.

Council Member Gibbons asked about the three strategies that had already been identified. Mr. Teerlink reported that one was to establish an Accessory Dwelling Unit (“ADU”) regulation, which had been done. Additionally, there was a strategy to study and review the parking ratios. The last strategy related to the allowance of mixed-use within the existing commercial areas. He noted that the parking standards were currently being reviewed by the Planning Commission. As for the review of mixed residential uses in commercial zones, these were also under review.

Council Member Gibbons did not believe the additional menu items would require the City to change direction from plans or initiatives that were already contemplated. Mr. Teerlink confirmed this. He pointed out that there was an opportunity to look at some long-range options as well. The type of housing options that are currently missing from the City’s housing stock were somewhere between duplexes and complexes. For instance, courtyard townhome developments and smaller university-style apartment complexes that range from 7 to 12 units. There were options in the new draft amendments that would make it possible to look at some long-range possibilities.

Mayor Dahle opened the public hearing at 6:23 pm. He noted that an email comment was received from Ryan Steele that related largely to impact fees. Mayor Dahle explained that the Council Members were provided with a copy of the email.

There were no further comments. The public hearing was closed.

#### **VII. *City Manager Report.***

Manager Chamness reported that at the last meeting, Council Member Gibbons raised concerns about Code Enforcement issues related to RVs. Staff realized that the Code was not internally consistent in some respects and that was something that would be looked at. She believed there would be potential revisions presented to the City Council later in the fall. Ms. Chamness reported that there had been a significant increase in Code Enforcement requests and asked for patience from the Council as those issues were worked through. Some were seasonal issues, related to weed enforcement. In October, the intention was to present information about the increased Code Enforcement requests. There would be information about where the increases were coming from as well as some potential solutions.

#### **VIII. *Council Reports and District Issues.***

Council Member Brewer explained that he had not attended the Blue Moon Festival before. He attended this year and felt it was a wonderful event. It had created a sense of community. He hoped that Holladay would continue to hold these types of community events in the future. Council Member Brewer attended the Olympus Junior High School Community Council Meeting. It was exciting to see that some of the preliminary testing results were in. Based on the preliminary results, the school was the highest ranked in the district for the standardized test, with Churchill and Wasatch being the schools that followed. There was a 10% improvement in a few areas.

Council Member Brewer reported that two constituents reached out to him about electronic lighted signs. Cottonwood Elementary School did a fundraiser last year and funds were available for an electronic sign at the school. It was something he would be looking into more but wanted to inform the Council that there was some interest in it. Council Member Brewer also noted that he had been

working with Patricia Pignanelli from the Holladay City Foundation and she was in the process of coordinating with two other Board Members.

Council Member Quinn informed the Council that she and Council Member Brewer met with some constituents a few weeks ago. Originally, a constituent reached out to her about a possible rezoning on Russell Street to allow for multi-family units. There had been discussions about zoning and speeding. Council Member Quinn appreciated the support from City Staff. Mr. Teerlink assured the residents that a developer cannot rezone without notice. Public Services Director, Jared Bunch, was there as well and informed residents that he would look into issues related to traffic light timing. Unified Police Department (“UPD”) Chief Justin Hoyal talked about speeding on the top of Murray Holladay Road. He and his officers had been out to issue tickets to address speeding.

Council Member Gibbons had nothing to report. Council Member Durham was participating in the meeting remotely.

Mayor Dahle reported that the service event at Olympus High School would take place on Monday night. He encouraged those present to attend and participate. On October 6, 2022, a representative from Granite School District would address the Council with an update about the Boundary Study. Mayor Dahle attended a Gold Star monument dedication in South Jordan at the Public Safety Building. It was a beautiful monument. The event was well done and it would benefit the community.

**IX. *Recess City Council in a Work Meeting.***

Council Member Quinn moved to recess the City Council Meeting and reconvene in a Work Meeting. Council Member Gibbons seconded the motion. The motion passed unanimously.

***a. Discussion on Previous Public Hearings.***

Mayor Dahle did not believe the proposed rezones needed to be discussed further. It seemed that those applications were fairly straightforward. There was no additional Council discussion.

The Council discussed the proposed text amendments to the General Plan – Moderate-Income Housing. Mr. Teerlink reviewed the Chapter 5 – Moderate-Income Housing redline changes with the Council. The opening purpose statement was clarified and additionally refined by the Planning Commission. There were also some clarifications about the original intent of the State Legislature. The Commission requested clarifications to Line 22 to address concerns that the chapter would not guarantee the development of moderate-income housing.

He noted that identifying strategies was the focus of the amendments. Three strategies were required to be selected from the menu. HB-462 requires actionable and measurable steps to achieve those strategies. Line 45 was another element that the Planning Commission wanted to clarify. The Goals, Strategies, and Challenges section was outlined. The goals section was reinserted and the strategies section was added. There was a diagram that generalized what the strategies were intended to support including the creation of housing opportunities for City of Holladay residents through diverse housing types and moderate-income housing options for existing and future residents. The six strategies that supported that goal were listed. The proposed strategies included:

- Collaborate with Redevelopment Agency partners to locate and establish moderate-income housing;

- Create or allow for (rezone) enabling land use regulations in existing commercial areas;
- Study current Accessory Dwelling Unit (“ADU”) patterns and create or allow for enhanced enabling regulations;
- Reduce, waive, or eliminate construction impact fees related to new moderate-income housing;
- Study with intent to reduce parking requirements for residential uses;
- Study infill opportunities that facilitate new moderate-income housing within existing residential zones.

There was discussion regarding ADUs. Council Member Gibbons wondered if there was a sense of how many residents with ADUs had applied for a permit. Mr. Teerlink did not believe everyone with ADUs applied for a permit. He reported that for quite some time, the City has been tracking second kitchens. He wanted the City to be able to reach out to those individuals to let them know that an ADU could work there and a permit would be necessary to have one. There had been 12 ADU applications that year but he had hoped the numbers would be in the 30s or 40s by now. The proposed elements were further discussed by the Council. As for the infill opportunities, it was noted that this was proposed to be a long-range study for review and consideration. It could be something that is explored in some of the one-half acre and three-quarter acre zones.

Mayor Dahle noted that there is a difference between choosing three options and five options. He wondered if choosing more elements would create additional avenues for State funding. Ms. Chamness clarified that it was not necessarily an additional source of funding but would give the City priority in the existing process. She assumed there would be numerical points assigned but she did not believe the priority process had been determined. Mayor Dahle did not see a reason for the City to choose less than five strategies. Council Member Quinn wondered if there was a time limit set for the actionable steps. Mr. Teerlink explained that the General Plan had a 2035 expiration date. It would not be wise to choose anything beyond that.

City Attorney, Todd Godfrey, pointed out that the Legislation indicated there was a desire to move from a note in the General Plan to the actual implementation of various strategies. There had been a fair amount of discussion about this issue and there was a push from the development community to change the nature of General Plans. For instance, making them more binding documents rather than advisory documents. The law right now did not present much risk for the City as it related to the selection of menu items. However, there could be some requirements in place in the future. It was important for the City to consider realistic alternatives that the Council believed could be feasibly implemented and could result in the development of moderate-income housing.

Mr. Teerlink overviewed the section of the chapter related to Moderate-Income Housing Implementation Strategies. That was where Staff had provided the proposed dates. The dates were listed in chronological order and the actionable steps were outlined in the chapter as well. Mr. Teerlink shared information related to the impact fees and how those fees could be used. He also shared additional information about ADUs. The sixth strategy listed (study infill opportunities that facilitate new moderate-income housing within existing residential zones) was something that was discussed by the Planning Commission as a potential wildcard idea. The listed action step may not be something that the Planning Commission would support fully. There was also a strategy listed that the Planning Commission had discussed as an optional seventh item, which was as follows:

- Apply for or partner with an entity that applies for State or Federal funds or tax incentives to promote the construction of moderate-income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, and an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by the association of governments established by an Interlocal Agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to create moderate-income housing or any other entity that applies for programs or services that promote the construction or preservation of moderate-income housing.

Given all of the strategies that City Staff had proposed, the Council was in a good position to select from the seven. Mr. Teerlink reminded the Council that there was an October 1, 2022 deadline. The Council could eliminate all of the new suggestions and stick with the three that were already in place if desired. Every year, the City needs to provide reports to inform the State of whether the strategies were met. The State was trying to determine the baseline and how cities are moving the moderate-income housing priorities forward. Council Member Gibbons wondered if there was a downside to including a larger list of strategies. Mr. Godfrey did not believe there was a downside. If the General Plan became binding in the future, this section of the General Plan would still be a consideration of strategy. The actual land use element of the General Plan was where municipalities could be bound in the future. Until the strategies are more definitively moved into the land use element, this section was not considered the final implementation step. However, he suggested that whatever the Council includes in the chapter be meaningful and actionable for the City.

Council Member Gibbons was pleased with the redline additions and the draft of the chapter. The City was taking meaningful steps toward moderate-income housing in the City. Council Member Durham asked for feedback about the public comment that had been received from Mr. Steele. Mr. Godfrey summarized the public comment letter. Mr. Steele opposed the waiver of impact fees because impact fees were designed to offset the impact of new development on City infrastructure. If those fees were waived, the impacts would still exist, and the residents would take on that burden. From a fairness standpoint, he did not feel that was appropriate. Mr. Godfrey noted that he advised against the waiver of impact fees previously. He had never been able to see a legal justification to waive those fees. It was something that could be added to the General Plan to look into but if the City chose to waive impact fees, there would need to be some tight parameters.

The Council further discussed impact fees. Mayor Dahle believed there was a benefit to the waiver. The seventh strategy was discussed. It essentially stated that the City would pursue funding sources to assist with the production of moderate-income housing. Mayor Dahle believed that funding was more likely to go toward cities with transit-oriented developments but it could be added in if that was desired by the Council. Council Member Gibbons expressed concerns about rezone applications where developers want to rezone and then subdivide properties to make a lot of money. He felt it was important to be careful with that strategy. Residents purchased property with an understanding of the current zone and the density.

Mr. Teerlink offered to make amendments to the chapter and bring it back to the Council. He asked that any additional proposals or suggestions be sent to him following the City Council Meeting.

***b. Follow-Up on Proposed Skate Park Lighting.***

The Council was trying to determine how to proceed. For instance, if it was something that the City was interested in pursuing the timeline should be considered. Ms. Chamness shared background information with the Council. She explained that as part of the construction of the Skate Park, some preparation work had been done for possible lighting installation. She reported that some underground work had been done and some wire was laid out. Approximately \$41,000 was spent to do that work. The remaining costs, based on a few bids and the original cost estimates, totaled approximately \$75,000. That would include three, 30-foot poles, the installation of those poles, electrification of the system, some wireless controls so the lights could be turned on and off remotely, some wrap for the poles, and some contingency. In total, the overall investment for skate park lighting would be \$116,000. That number included the amount that had already been spent.

Ms. Chamness shared an image with the Council that illustrated possible pole locations. Due to the proximity of the pole between the baseball fields, the insurer would require that the poles be wrapped. This was due to active play in the area. She explained that this contributed to the higher overall costs.

Mayor Dahle wondered if there was a desire to move forward with the skate park lighting. Council Member Brewer was in support of moving forward with the lighting. He suggested that the full \$75,000 be fundraised by the community. It might take a bit of time but he believed this would be possible and he would personally contribute to that fundraising effort. Council Member Brewer wanted to discuss the benefits of the Skate Park lighting and the proposed time restrictions. It was also important to consider the distance from residential areas and potential noise issues..

There was no opposition from Council Members to the idea of the Skate Park lighting. Council Member Quinn explained that she had been convinced from previous discussions and felt the lighting was a wonderful idea. Council Member Gibbons echoed those comments. Since underground infrastructure had already been installed and the park had been built, it made sense to move forward with the concept. It came down to the budget. He liked the idea of exploring whether the money could be raised through community fundraising or other sources.

Due to the approaching winter months, Mayor Dahle did not believe the Skate Park lights could be installed in the current year. The intention was to have the lights installed next summer so the lights were ready to use ahead of the next winter. Council Member Brewer believed that once funding is secured, it would be possible to move forward. Ms. Chamness mentioned the potential hours of operation. Currently, parks are not permitted to be occupied between 10:00 p.m. and 6:00 p.m. Unless the Council was interested in changing that, 10:00 p.m. would be the cut-off time. Mayor Dahle liked that time limit but noted that the specifics could be debated in the future.

Mayor Dahle wondered if it would be appropriate to put the item out to bid to understand what the confirmed costs would be. Ms. Chamness clarified that there was a hard bid already but the bid did not include potential price increases. If there continued to be cost increases for materials, this could impact the overall price. Mayor Dahle suggested a possible meeting with the organization to discuss a fundraising campaign.

***c. Review of Fourth of July.***

Ms. Chamness reviewed the budget for the Fourth of July celebration. In June, the approved amount was \$34,000. What was actually spent on the Fourth of July celebration was \$34,210. The cost

breakdowns were shared with the Council. The concert cost \$8,000 and the breakfast was \$10,301. She noted that the breakfast was offset with admission fee revenue that amounted to \$2,600. The fireworks cost \$15,500 and there were \$409 for miscellaneous expenses. Next year, it may be possible to reduce the cost of the concert

Ms. Chamness noted that the Council could change the price of the breakfast, eliminate something on the list, or explore a relationship with Excellence in the Community for the Fourth of July concert. Mayor Dahle was supportive of the fireworks. Ms. Chamness pointed out that it is difficult to find a vendor who is willing to serve on the Fourth of July. Mayor Dahle did not want to raise the admission fees too much because it could shut out families. He wondered if \$34,000 was a reasonable amount to spend on the event. The Council Members were supportive of the Fourth of July celebration.

Council Member Brewer wondered if corporate sponsorships could be considered. Ms. Chamness reported that there are not any currently. Securing those types of sponsorships could be time-consuming from a Staff perspective and had not been a priority of the Council or Staff to date. Council Member Brewer supported hiring someone to fundraise for the City.

***d. Review of 2022 Council Goals.***

Ms. Chamness reviewed the Council Goals. Those goals were set in March 2022 for the fiscal year that began on July 1, 2022. There were short-term and long-term goals. Priority #1 - Economic Development. She explained that all of the streetlight poles were upgraded to accommodate snowflakes for the holiday season. The existing inventory of snowflakes appeared to be working. Council and Staff were working on some ideas for the Holladay Foundation and there would be a more robust conversation about that later in the fall. Ms. Chamness noted that the City was working toward a January implementation of the Holladay Business Council.

Priority #2 - City Organization and Administration was discussed. Ms. Chamness reported that since March 2022 there had been stable Staff in place. There were still some remaining vacancies but no further attrition. The City was working toward implementing a couple of new software programs that the Council had funded, including an updated timekeeping system, an HR Suite, and budget software. Priority #3 - Develop a Sustainable Funding Model for the City was discussed. It included short-term priorities related to the Holladay Foundation development. Priority #4 - Address Land Use Issues in the City was shared. Ms. Chamness noted that there was some economic development study work to do and there were specific properties to be reviewed.

Council Member Brewer asked about Truth in Taxation. He wondered when those discussions would need to start. Ms. Chamness explained that in January or February, the direction of sales tax and other funding sources would be examined. Council discussions about that process could begin at that time as well. She reported that sales tax remained strong for the year so far.

Priority #5 - Continue Efforts to Better Maintain Public Assets in the City was outlined. Ms. Chamness explained that the City was working on a plan to invest in the City Hall facilities with a portion of the bond proceeds that were issued in the spring. Additionally, the City was looking at upgrades to the exterior of Casto House as part of the application for Tourism, Recreation, Culture, and Convention (“TRCC”) funding. Priority #6 - Community and Lifestyle Enhancements was reviewed. It included the direct public marketing of Public Works improvements. Ms. Chamness



looked into holiday lighting but did not believe the short-term goal of a Santa Booth was possible for the current year. It may need to be a 2024 goal.

Council Member Durham and Staff were to meet the following week to discuss the Lynne Lane cut-through improvements that were listed under Priority #6. Ms. Chamness reported that work would begin shortly on a study that looked into the feasibility of a bicycle and pedestrian path along I-215 from Highland to Big Cottonwood Trail. Additionally, the City Survey results would be back shortly. She noted that the City was also asking for public comment on the pedestrian portion of the Wasatch Boulevard Corridor. The Council discussed the maintenance needs of the baseball fields and what could be done to improve their appearance.

*e. Calendar:*

*City Council Meetings – September 15, October 6 and 20, November 3 and 17, December 1 and 8, 2022.*

*September 17 – Chalk Our Walk.*

*September 17 – CERT Training.*

*September 19 – Speaker Series.*

The calendar items were reviewed and discussed.

**X. Closed Session Pursuant to Utah Code Section 52-4-204 and 205 to Discuss Personnel Issues, Potential Litigation and Property Acquisition and Disposition (if needed).**

There was no Closed Session.

**XI. Adjourn.**

Council Member Gibbons moved to adjourn. Council Member Quinn seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at approximately 8:20 p.m.

*I hereby certify that the foregoing represents a true, accurate, and complete record of the Holladay City Council Meeting held Thursday, September 8, 2022.*

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Stephanie N. Carlson, MMC  
Holladay City Recorder

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Robert Dahle, Mayor

Minutes approved: **October 6, 2022**